

Congress of the United States
Washington, DC 20515

October 4, 2017

The Honorable Bob Goodlatte
Chairman
House Judiciary Committee
2138 Rayburn House Office Building
Washington, DC 20515

The Honorable John Conyers, Jr.
Ranking Member
House Judiciary Committee
2142 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Goodlatte and Ranking Member Conyers:

We write to request that the House Judiciary Committee hold a hearing on the practice of nonconsensual condom removal, popularly known as “stealthing.” Nonconsensual condom removal done without the other partner’s knowledge is an emerging section of policy and legislation on sexual assault and rape. A hearing would allow Members of Congress the opportunity to gain knowledge and expertise on an issue that is becoming increasingly relevant.

Nonconsensual condom removal during sexual intercourse is a disgraceful practice that is incredibly dangerous for victims. “Stealthing” can lead to lasting consequences, such as unplanned pregnancies and sexually transmitted infections, and is also a violation of trust and dignity between two sexual partners. Recent legal and academic articles have considered how nonconsensual condom removal could in fact turn consensual sex into nonconsensual sex by way of different [legal mechanisms](#).¹ The implications of the practice of nonconsensual condom removal are far-reaching with respect to the ongoing national conversation on the definition of consensual sex. We are disturbed by reports of online forums that lay out a step-by-step guide of how to get away with nonconsensual condom removal.

As nonconsensual condom removal is an emerging legal problem, testimony from expert witnesses would offer valuable insight into the details and implications of the practice itself as well as the legal and political consequences Congress should consider. We believe it is important for expert witnesses to address basic questions, including:

- (1) How does the act of nonconsensual condom removal alter consent?
- (2) How common is the practice and how accurate is the data we now have to analyze the extent of the problem?

¹ - 'Rape-Adjacent': Imagining Legal Responses to Nonconsensual Condom Removal
Columbia Journal of Gender and Law, Vol. 32, No. 2, 2017

- (3) What is the current legal recourse for victims of “stealthing” and is it sufficient to remedy the extensive physical and emotional harm?
- (4) What are recommendations for future legislation or Congressional action that could help draw attention to the problem of nonconsensual condom removal or create clear legal avenues for remedy?

Answers to these and other questions would inform our next steps on crafting effective policy to combat “stealthing” and sexual assault more broadly.

We believe this issue calls for swift action to solicit testimony from experts in the field and begin considering policymaking options. Thank you for your attention to this request. We look forward to hearing from you and working with the Committee members to address this important issue.



Ro Khanna
Member of Congress

Sincerely,



Carolyn B. Maloney
Member of Congress